

15.03.2023
Sl. No.15
akd
[ALLOWED]

C. R. M. (DB) 737 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.02.2023 in connection with Harirampur Police Station Case No.19 of 2016 dated 05.02.2016 under Sections 14A(b)/14C of the Foreigners Act and Sections 417/420 of the Indian Penal Code. (G.R. Case No.89 of 2016)

And

In Re: **Ramesh Barman @ Ramesh Chandra Barman**
... .. Petitioner

Mr. Bibaswan Bhattacharya
Mr. Abhik Sen
... .. for the petitioner

Mr. Prasun Kr. Datta .. Id. Addl. Public Prosecutor
Mr. Santanu Deb Roy
... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years. Trial has not commenced.

Report with regard to verification of the Voter's Identity Card of the petitioner shows he possesses two Voter's Identity Cards. However, none of the cards have been alleged to be procured on the basis of fabricated documents.

Under such circumstances and in view of the protracted period of detention suffered by the petitioner and slow progress in the matter, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Ramesh Barman @ Ramesh Chandra Barman**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur subject to condition that the said petitioner

shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)